

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: ORANGE CITY COMMUNICATIONS, L.L.P.	DOCKET NO. 199 IAC 39.2(4)
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ORDER DESIGNATING ELIGIBLE CARRIER

(Issued August 8, 2002)

On July 22, 2002, Orange City Communications, L.L.P. (Orange City), filed with the Utilities Board (Board) an application for universal service eligible carrier status in Iowa. Orange City asks that the Board designate it as an eligible telecommunication carrier (ETC) pursuant to 199 IAC 39.2(4). No objections have been filed regarding this application.

Board rule 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the Universal Service Fund as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254. Under the Act (and Federal Communications Commission (FCC) regulations implementing the Act), the Board must determine that a carrier meets the following service requirements before it designates it as an eligible carrier, as set forth in subrule 39.2(4).

- 1) Offer the services supported by the federal universal service fund;

- 2) Offer the service using its own facilities or a combination of its own facilities and resale of the facilities of another carrier;
- 3) Advertise the availability of the supported services; and
- 4) Offer the services throughout the service area of the designated carrier.

In its request for designation, Orange City states that it satisfies each of the four requirements. Based on that representation, the Board finds that Orange City offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier. The Board finds that Orange City advertises and offers the services throughout its designated service area.

The Board also notes that pursuant to a recent federal mandate, Orange City is required to file a certification regarding its use of universal service funds with the Board by September 10, 2002. This filing will be made pursuant to the Board's recently adopted subrule 199 IAC 22.2(7), as described in Docket No. RMU-01-14.

IT IS THEREFORE ORDERED:

1. Eligible telecommunications carrier status is granted to Orange City Communications, L.L.P., as requested on July 22, 2002. The designated service area for Orange City Communications, L.L.P., shall be the service territory area established in its certificate of public convenience and necessity.

2. The Executive Secretary of the Board shall mail copies of this order to Orange City Communications, L.L.P., the Universal Service Administration Company, the Federal Communications Commission Universal Service Branch, and the Federal Communications Commission Office of the Secretary.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 8th day of August, 2002.